

**OPINION
43-96**

January 27, 1943 (OPINION)

SCHOOL DISTRICTS

RE: Funds not to be used for transportation to Private Schools

Your letter of recent date addressed to the Attorney General with reference to certain school problems has been received and the contents of the same noted.

You state that certain schools in your school district are closed and that some of the patrons are sending their children to a parochial school. The question you present is whether or not you have authority to pay transportation to these people when sending their children to a parochial school.

The Constitution of the state of North Dakota prohibits the expending of public money directly or indirectly in the support of private schools, and the expenditure of public money for the payment of transportation to parochial schools would be in violation of this constitutional provision.

ALVIN C. STRUTZ
Attorney General